

**REMARKS**

In the Office Action, claims 1-9 were rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 6,519,240 (Dillinger et al.) in view of U. S. Patent No. 5,933,421 (Alamouti). Applicants respectfully traverse this rejection in view of the following.

The present invention refers to a wireless time division multiple access/code division multiple access communication system. In such a system, multiple communications are assigned to an individual timeslot and are distinguished by codes. Referring to claim 1, the available timeslots are ordered in descending order of measured interference and the user service physical channels are evaluated and reassigned in the timeslot order in a desired order of a desired reception quality of each of the physical channels. To illustrate, the available timeslot with the highest interference is evaluated so as the physical channel of the user service having the highest desired reception quality can be assigned to that time slot. As a result, the assignment technique of the present invention tends to utilize the timeslot with the highest interference to the most demanding physical channels freeing up the remaining timeslots (with lower interference) for future assignment. As a result, this method and the radio network controller efficiently packs the physical channel into timeslots to facilitate future assignments.

Dillinger discloses an assignment technique for a TDMA communication system which, traditionally only reassigns one communication to a timeslot. Column 2 of Dillinger described that interfering measurements are carried out by the base station and/or by the mobile station so that a suitable timeslot is selected for a connection. However, this does not disclose that they are ordered in a descending order of measured interference, merely only that timeslots with adequate interference levels would most likely be selected for the connection. With respect to Columns 5 and 6 of Dillinger, those columns describe an assignment technique where the signal to interference/noise ratio of uplink communications is used to determine the timeslot to a connection. Accordingly, Dillinger et al. does not disclose the ordering of timeslots but only merely the determining of acceptable timeslots and further, as pointed out in the office action, does not disclose assigning of physical channels based on a order of a desired reception quality. Alamouti is described as showing timeslot allocation based on reception quality. However, Alamouti discloses taking measurements of a channel such as RSSI and SINR for use in selecting the best channel. Nowhere does Alamouti disclose that the desired reception quality is used in the physical channel assignment and in particular, that a descending order of desired reception quality of each physical channel is used in evaluating and reassigning physical channels. Accordingly, the present invention is

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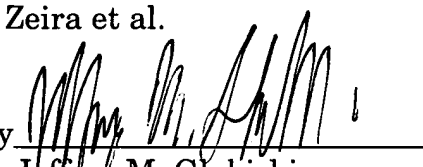
allowable over the cited art. The dependent claims further distinguish the invention from the cited art.

Reconsideration and entry of this amendment is respectfully requested.

Respectfully submitted,

Zeira et al.

By

  
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